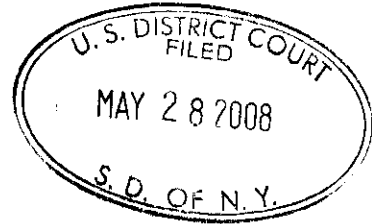


SCANNED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



PATRICK KELLY,

Plaintiff,

-against-

RICHARD GIRASOLE,

Defendant.
_____X

Civil Judgment

08 Civ. 2113 (KMW)

Pursuant to the order issued MAY 28 2008 by the Honorable Kimba M. Wood, Chief Judge, dismissing the amended complaint, it is,

ORDERED, ADJUDGED AND DECREED: That the complaint be and is hereby dismissed. Fed. R. Civ. P. 12(b)(1) and 12(h)(3). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith.

(Wood)

KIMBA M. WOOD
Chief Judge

Dated ~~MAY 28 2008~~

New York, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.